UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/2000/61
27 January 2000

ORIGINAL: ENGLISH

LETTER DATED 27 JANUARY 2000 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

In reference to your letters dated 17 and 26 January 2000 (S/2000/60), I have the honour to inform you that your nomination of Dr. Hans Blix of Sweden as Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), in accordance with paragraph 5 of resolution 1284 (1999), has been brought to the attention of the members of the Security Council. They approve the appointment. Dr. Blix should take up his mandated tasks as soon as possible.

(Signed) Richard C. HOLBROOKE
President of the Security Council

00-26735 (E) 280100

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/2000/62
28 January 2000

ORIGINAL: ENGLISH

LETTER DATED 25 JANUARY 2000 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the military component of the United Nations Transitional Administration in East Timor (UNTAET).

Following the usual consultations, I propose that the military component of UNTAET be composed of the countries in the attached list (see annex).

I should be grateful if you could bring this matter to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

00-26741 (E) 280100

/...

Annex

LIST OF CONTRIBUTORS OF MILITARY PERSONNEL TO UNTAET

1. Australia
2. Bangladesh
3. Bolivia
4. Brazil
5. Canada
6. Chile
7. China
8. Denmark
9. Egypt
10. Fiji
11. France
12. Ireland
13. Italy
14. Jordan
15. Kenya
16. Malaysia
17. Mozambique
18. Nepal
19. New Zealand
20. Norway
21. Pakistan
22. Philippines
23. Portugal
24. Republic of Korea
25. Russian Federation
26. Singapore
27. Sweden
28. Thailand
29. Turkey
30. United Kingdom of Great Britain and Northern Ireland
31. United States of America
32. Uruguay

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/2000/63
28 January 2000

ORIGINAL: ENGLISH

LETTER DATED 28 JANUARY 2000 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 25 January 2000 (S/2000/62) concerning the composition of the military component of the United Nations Transitional Administration in East Timor (UNTAET) has been brought to the attention of the members of the Security Council. They take note of the proposal contained in your letter.

(Signed) Richard C. HOLBROOKE
President of the Security Council

00-26747 (E) 280100

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/2000/64
28 January 2000

ORIGINAL: ENGLISH

LETTER DATED 28 JANUARY 2000 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

Members of the Security Council have considered your report dated 14 January 2000 (S/2000/22) pursuant to paragraph 32 of Security Council resolution 1284 (1999). In so doing, Council members also considered your proposal contained in paragraph 22 of the above-mentioned report to consolidate a number of reporting requirements into one report due on 10 March 2000. Council members have endorsed your proposal.

(Signed) Richard C. HOLBROOKE
President of the Security Council

00-26729 (E) 280100

UNITED
NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/54/727
S/2000/65
31 January 2000

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-fourth session
Agenda item 96
QUESTION OF EAST TIMOR

SECURITY COUNCIL
Fifty-fifth year

Identical letters dated 31 January 2000 from the Secretary-General to the President of the General Assembly, the President of the Security Council and the Chairperson of the Commission on Human Rights

I have the honour to transmit to you herewith the letter dated 26 January 2000 addressed to me by the Minister for Foreign Affairs of the Republic of Indonesia concerning the report of the International Commission of Inquiry on East Timor (see annex).

(Signed) Kofi A. ANNAN

00-26698 (E) 280100

/...

Annex

Letter dated 26 January 2000 from the Minister for Foreign Affairs of Indonesia to the Secretary-General

I wish to thank you for the advance copy of the report of the International Commission of Inquiry on East Timor, which I received through our Permanent Representative in New York. We have duly noted the contents of the report.

As you are aware, we have rejected the resolution adopted by the United Nations Commission on Human Rights at its special session, which established an international commission of inquiry on East Timor to gather and compile systematically information on possible violations of human rights in East Timor. The members of the Commission on Human Rights, as reflected in the vote on resolution 1999/S-4/1 on 27 September 1999, were quite divided on the issue for a variety of reasons, prominent among which was the widespread sense of regret over procedural irregularities surrounding the convening of that special session. As you may recall, the position of Indonesia on this procedural issue as well as on the substance of the resolution was fully supported by Asian countries and some other countries. The establishment of the International Commission therefore does not command the full support of the international community.

In spite of the fact that Indonesia rejected the resolution of the special session, the Indonesian Government, faithful to its long-standing commitment to cooperate with the Commission on Human Rights and its mechanisms, had approved the visit of the International Commission to Indonesia from 5 to 8 December 1999. Having rejected the resolution, however, Indonesia, morally and legally, is bound neither by the resolution nor by the conclusions and recommendations of the International Commission. Consequently, we are in no position to make substantive comments on its report. Nevertheless, in the spirit of our cooperation with you, we will make a few general observations.

From a cursory review of the report of the International Commission, we cannot help but notice that the report seems to consist of sweeping, uncorroborated allegations and is one-sided and selective in approach. In citing instances of human rights violations, the report concentrates on violations alleged to have been perpetrated by pro-integration groups without bothering to cross-check with testimonies given by individuals belonging to pro-integration groups. Strangely, only one paragraph in the report addresses the violations of human rights by pro-independence groups and dismisses them as "allegations", "fewer in number" and "without confirmation". This clearly shows the bias of the Commission.

It is public knowledge that the long-standing conflict among East Timorese has worsened since a special status with wide-ranging autonomy was offered to them in June 1998. As a result, human rights violations in East Timor have been committed by both sides since then and escalated in the aftermath of the popular consultation. The pro-integration groups also suffered many violations of their human rights. The Indonesian Government consistently reported these violations of human rights perpetrated by the pro-independence group against the

pro-integrationists and other East Timorese who refused to support them. It is worth noting that the Indonesian Government on 24 November 1998 submitted information to Ambassador Jamsheed Marker, the Personal Representative of the Secretary-General for East Timor, concerning an intensified campaign of terror and intimidation and incidents of armed attacks and other violent acts perpetrated by the pro-independence groups and armed separatist groups in East Timor against civilian and military personnel. This campaign of terror and intimidation continued and escalated even after January 1999. These constitute a very crucial aspect of the events in East Timor at that time. Unfortunately, to the disappointment of my Government, the International Commission has not shown any interest in these facts. Such lack of interest has not only damaged the cause of fairness and objectivity, without which justice cannot be served, but has also strengthened the position of those who argue that the work of the International Commission is highly politicized.

As you may be aware, the Government of Indonesia has been greatly appalled by the reports of human rights violations and destruction of property in East Timor in the aftermath of the announcement of the results of the popular consultation. The national interest of Indonesia required the maintenance of a stable and peaceful environment in East Timor whatever the outcome of the popular consultation. It was, after all, the responsibility of Indonesia to maintain law and order in East Timor, as provided for in the Agreement between Indonesia and Portugal of 5 May 1999.

The Indonesian Government therefore regrets that acts of violence and destruction happened despite its good intentions and best efforts in trying to solve the East Timor question in a peaceful and democratic manner. The Government of Indonesia has on many occasions expressed its strong condemnation of reported human rights violations and any other acts of violence and destruction that occurred prior to and in the aftermath of the popular consultation. Twice the Government of Indonesia sent a delegation of Ministers led by the Coordinating Minister for Political and Security Affairs, Minister Feisal Tanjung, to East Timor in an effort to restore peace and order. General Wiranto, who was then the Commander of the Tentara Nasional Indonesia (TNI) (Indonesian armed forces), went to East Timor after the announcement of the result of the popular consultation for the same purpose. It is therefore evident that the Indonesian Government, the Indonesian Police and TNI have exerted utmost efforts to quell the violence and destruction during the process of consultation and its aftermath. As the Supreme Commander of TNI, President Habibie himself issued instructions to the Indonesian Police and TNI to move decisively to stop the killings and destruction. When the police and TNI were unable to quell the escalating violence and destruction, the Indonesian Government imposed a state of military emergency in East Timor on 7 September 1999. While the imposition of a state of military emergency in East Timor has stopped the killings, still destruction of property could not be completely suppressed. Having assessed the situation, the Indonesian Government on 12 September 1999 decided to invite the United Nations to send a United Nations peacekeeping force to East Timor.

The foregoing clearly indicates the policy and determination of the Indonesian Government, the Indonesian Police and TNI to address the acts of violence and destruction in East Timor. It is therefore unfair that the

International Commission in its report should make sweeping accusations against the Indonesian army as being responsible for the "intimidation, terror, killings and other acts of violence experienced by the people of East Timor". Equally unjustified is its allegation that the Indonesian Police have been involved "in acts of intimidation and terror and having been inactive in preventing these acts". It is quite possible that certain individual personnel of the Indonesian Police and TNI have committed acts of violence and destruction in contravention of the policy of the Indonesian Government, the Indonesian Police and TNI. In such cases, the Indonesian Government is determined to bring these individuals to justice through the national judicial mechanism. But certainly, the accusation of the International Commission that the Indonesian Police and TNI as institutions were involved in the violation of human rights in East Timor is totally false and baseless.

I wish to clearly state that it is the firm position of the Indonesian Government that the recommendations of the International Commission to establish an international human rights tribunal is totally unacceptable for the following reasons:

(a) The alleged violations of human rights referred to in the report of the International Commission were committed in East Timor when it was still an integral part of the territory of the Republic of Indonesia. For this reason alone, Indonesian laws are the only laws applicable to those violations and the Indonesian judicial mechanism is the exclusive mechanism for bringing the perpetrators of the violations of human rights to justice;

(b) The national judicial mechanism of the Republic of Indonesia is functioning and capable of dispensing justice - in contrast with the case of the International Criminal Tribunals established for the former Yugoslavia and Rwanda;

(c) It is necessary that the international community should respect the principle of exhaustion of national remedies, a principle of international law that is consistently upheld;

(d) The degree and extent of the alleged violations of human rights as cited in the report of the International Commission do not justify the establishment of an international human rights tribunal;

(e) The establishment of an international human rights tribunal will only create obstacles to the realization of the commitment of the leaders of Indonesia and Timor Lorosae to promote friendly relations between the two countries and reconciliation between their peoples, and thereby contribute to the peace and stability of the region.

The Indonesian Government therefore considers it imperative that reports of violations of human rights be investigated thoroughly, fairly and objectively in order to identify the perpetrators and bring them to justice. In this regard, the Government of Indonesia welcomes the establishment by the National Commission on Human Rights (Komnas HAM) of the National Commission of Inquiry on Human Rights Violations in East Timor (KPP-HAM), which has carried out very extensive work. KPP-HAM has sent a fact-finding mission to East Timor. The

fact-finding mission has interviewed numerous witnesses to the alleged acts of violence and destruction in East Timor, in addition, it has also interviewed various personalities in Jakarta who are knowledgeable on the situation in East Timor. It is also a fact that KPP-HAM has extended its cooperation to the International Commission and has invited participation of international experts in its inquiry. The day-to-day activities of KPP-HAM are extensively reported by the Indonesian and international media. The Indonesian Government places utmost confidence in the independence, credibility and competence of the members of the Commission in accomplishing their important mission.

The National Commission of Inquiry (KPP-HAM) is expected to submit a report on its findings and recommendations to the Komnas HAM at the end of January 2000; Kamnas HAM will then transmit the report to the Attorney General. The Attorney General will carefully study the findings and recommendations of the Commission and decide what legal action to take through the existing national judicial mechanism. As has been made clear in various national forums, the Indonesian people will closely watch the course of actions that the national judicial mechanism will take to bring all perpetrators of the violations of human rights in East Timor to justice. For this purpose, TNI and the Police are committed to support the judicial process.

Indonesia's efforts to address the problem of human rights violations in East Timor through its national judicial mechanism should be viewed from a wider perspective, especially in the light of the commitment of the new Government under the leadership of President Abdurrahman Wahid to promote democracy, good governance and respect for human rights and fundamental freedoms.

My Government is confident that you will have the wisdom and foresight to consider the findings and recommendations of the National Commission of Inquiry (KPP-HAM) and to allow the national judicial process to take its own course.

(Signed) Dr. Alwi SHIHAB

UNITED NATIONS

A S

General Assembly
Security Council

Distr.
GENERAL

A/54/728
S/2000/66
28 January 2000

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-fourth session
Agenda item 63
QUESTION OF CYPRUS

SECURITY COUNCIL
Fifty-fifth year

Letter dated 27 January 2000 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 27 January 2000 addressed to you by His Excellency Mr. Aytuğ Plûmer, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex were circulated as a document of the General Assembly, under agenda item 63, and of the Security Council.

(Signed) Volkan VURAL
Ambassador
Permanent Representative

00-26850 (E) 310100

/...

ANNEX

Letter dated 27 January 2000 from Mr. Aytuğ Plümer addressed to the Secretary-General

Upon instructions from my Government, I have the honour to refer to the letter dated 3 January 2000 (A/54/698-S/2000/4) addressed to you by the Greek Cypriot representative at the United Nations, which contains allegations of "violations of the airspace of the Republic".

It will be recalled that similar allegations of so-called "airspace violations" were rejected in our previous communications addressed to you, most recently in my letter dated 22 December 1999 (A/54/694-S/1999/1281, annex). I wish to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State, over which the Greek Cypriot administration in the South has no jurisdiction or any right of say whatsoever.

As stated in my previous letters, these Greek Cypriot allegations are based on the false and unacceptable assumption that the sovereignty of the Greek Cypriot side extends over the entire island. This position is contrary to the current realities in the island, namely, the existence of two sovereign peoples and their respective states and, as such, is a major impediment to finding a comprehensive settlement on the basis of these realities.

In addition to its above-mentioned unrealistic and negative stance, the Greek Cypriot administration is also continuing with its military build-up in South Cyprus, which has already reached unprecedented levels.

The Greek Cypriot daily Politis on 10 December 1999 reported that the necessary funds would shortly be released by the Greek Cypriot House of Representatives Defence Committee for the purchase of 40 Russian-made T-80U tanks and an unspecified number of KA-50 helicopters. Reportedly, the planned purchase of BUK-M1 or BUK-M2 missile systems was also taken up by the said Committee. In this connection, the Greek Cypriot daily Filelefttheros on 9 January 2000 reported that the acquisition of such systems was among the issues taken up during the recent visit of the Greek Cypriot Minister of Defence, Sokrates Hasikos, to the Russian Federation from 2 to 6 December 1999. Simerini on 11 January 2000 further reported that 21 short-range TOR-MI missile systems acquired by Greece from the Russian Federation would be transported to South Cyprus, in addition to the 15 such systems already deployed in South Cyprus.

Defense News, a weekly published in the United States of America, directly quoting Greek Cypriot official sources, reported on 20 December 1999 that South Cyprus would "acquire more T-80 tanks and BMP-3 armoured vehicles from Russia to reinforce its ground forces" in addition to missile systems. A commentary in the same issue underlined that the efforts by the Greek Cypriot administration to acquire these systems and other ground weaponry should be discouraged as it would rekindle tensions and hinder chances for reconciliation.

Unfortunately, the Greek Cypriot administration has long been ignoring such sound advice and is relentlessly pursuing a campaign of militarization.

On the eve of the resumption of proximity talks under your auspices, it is hoped that the hostile and provocative military preparations as well as the misinformation campaign conducted by the Greek Cypriot side against the Turkish Republic of Northern Cyprus will end, so that the efforts to find a comprehensive settlement will not be undermined.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 63, and of the Security Council.

(Signed) Aytuğ PLÜMER
Representative
Turkish Republic of Northern CYPRUS

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/2000/67
28 January 2000
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 28 JANUARY 2000 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On the instructions of my Government, I have the honour to inform you that massacres are currently taking place in the north-east of the Democratic Republic of the Congo, more specifically in the Blukwa district, situated in the area around lake Albert, to the south-east of the town of Djugu and to the north-east of the town of Bunia, in the eastern province, which is occupied by the Ugandan occupation forces.

These massacres which began more than three weeks ago, have been confirmed by the non-governmental organization Christian Blind Mission which, moreover, has publicized a film made by its members over a period of several weeks which shows, inter alia, horrific scenes in which women and children are systematically mutilated with machetes.

This new wave of genocide, which has already caused the death of over 7,000 innocent Congolese victims, is the direct consequence of the occupation of the eastern province by the regular forces of the Ugandan army, whose leaders, both political and military, have incited and exacerbated ethnic rivalry between the Lendu and Hima communities.

The Government of the Democratic Republic of the Congo urges the Security Council:

(a) To condemn unreservedly the violations of human rights and of international humanitarian law which Rwanda, Uganda and Burundi are continuing to commit in the territory of the Democratic Republic of the Congo;

(b) To conduct a thorough investigation in order to bring to justice all persons who committed or sponsored these massacres;

(c) To secure an immediate halt to the activities of all kinds which Rwanda, Uganda and Burundi are undertaking in the territory of the Democratic Republic of the Congo; and

(d) To adopt binding measures for the immediate withdrawal of the occupation forces so that peace and national harmony may once again prevail in the Democratic Republic of the Congo.

My Government requests you to have this letter circulated as a Security Council document.

(Signed) André Mwamba KAPANGA
Ambassador
Permanent Representative